UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.159/SR.402
10 September 1991
ENGLISH
ORIGINAL: RUSSIAN

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 402nd MEETING

Held at Headquarters, New York,

on Tuesday, 9 July 1991, at 10 a.m.

Chairman: Mr. KALPAGE (Sri Lanka)

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The meeting was called to order at 12.10 p.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 45/77 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH RESOLUTION 45/77 (continued) (A/AC.159/L.74)

1. The CHAIRMAN reminded the members of the Committee that the stages of the Conference on the Indian Ocean had been discussed in informal consultations before the end of the previous meeting. The Committee had considered document A/AC.159/L.74 and proposals submitted by the delegations of Ethiopia and India. Delegations had held informal consultations in order to work out an agreed text of a document on the subject. According to available information, it appeared that agreement had been reached in the informal consultations. However, the representative of Pakistan had also submitted a non-paper and, before the beginning of the current meeting, additional informal consultations had been held. He requested the representative of Ethiopia to inform the Committee of the results of efforts to reach a consensus in those informal consultations.

2. Mr. HAGOSS (Ethiopia) said that, during the consultations, members of the Committee had discussed the non-paper containing proposals by the delegations of Ethiopia and India, bearing in mind the elements prepared by the delegation of Pakistan. He read out the agreed text of the document dealing with the stages of the Conference on the Indian Ocean, together with the amendments that had been made to it. One of the agreed issues dealt with the kind of documentation that would be submitted to the Conference for consideration. The members of the Committee had decided that the Committee's main report would make reference to that issue in general terms. One delegation had asked for time to consult its Government. He proposed that the agreed text be circulated among the members of the Committee.

3. Mr. MAHMOOD (Pakistan) thanked the representative of Ethiopia for the consultations that he had organized and in which Pakistan had participated. However, his delegation had significant difficulties with certain formulations and, before the final adoption of that important document at the afternoon session, it wished to receive the necessary instructions. He proposed that the Secretariat should circulate the document in its final form and hold consultations with the remaining members of the Committee.

4. The CHAIRMAN said that he fully understood the concerns of the representative of Pakistan and that the Committee would follow the procedure he had suggested. The document would be adopted at the next meeting, which would be held in the afternoon.

5. Ms. COURTNEY (Australia) said that she also required instructions. However, considering the time difference, she would not be able to receive them until the following day. The non-paper contained a number of concepts with which her delegation could not agree, and she would not be prepared to adopt the document until the following day.

6. Mr. KRASULIN (Union of Soviet Socialist Republics) wished to raise a question of procedure. He had the impression that the Committee had not yet reached agreement on the document being discussed in a corner of the conference room by a number of delegations that had not joined the opinion of other delegations. His delegation had at least three serious objections to the text, which prevented it from agreeing to the document.

7. Mr. JAIN (India) said that, like other delegations, his delegation needed time to obtain the approval of its authorities, which it would endeavour to do as soon as possible.

8. Mr. KRASULIN (Union of Soviet Socialist Republics) made three observations regarding the non-paper prepared during the informal consultations of a group of States and which had just been read out by the representative of Ethiopia. First, his delegation could not agree that the main objective of the Colombo Conference would be consultations, since consultations were only a method of conducting work, a means of attaining an end and not the end in itself. Secondly, consultations were the lowest form of diplomatic activity. Therefore, if consultations were held at Colombo, it would hardly be possible to ensure the participation of ministers for foreign affairs, and the desired level of representation would therefore not be achieved. With respect to the history of the issue, he pointed out that all the work of the Ad Hoc Committee was conducted in the form of consultations although, strictly speaking, the meetings of an official United Nations body represented a higher form of work. If the Colombo Conference was limited to consultations, how would it differ from the ordinary meetings of the Committee? Obviously, it was time to proceed to the next stage, namely, work at the conference level, and to define the main objective of the first stage of the Conference as the elaboration of a mandate for negotiations at the next stage, namely, the definition of the fundamental principles of a future agreement. In particular, it was necessary to decide whether obligations should be limited only to extraregional States or whether there should be a balance between the obligations of both extraregional and regional States. The further developed principles would be transmitted as instructions to the negotiating body of the second and, perhaps, subsequent stages of the Conference. At the third stage of the Conference, which would, obviously, be held at the level of ministers for foreign affairs, the results of the negotiations should be reported.

9. Thirdly, he did not understand why some delegations stubbornly avoided the expression "binding agreement". That was incomprehensible because, whenever a Government signed an international instrument, it voluntarily assumed the concomitant obligation to implement it.

(Mr. Krasulin, USSR)

10. Finally, the question of the stages of the Conference was closely related to the question of the role of the Ad Hoc Committee. He could not agree that the Committee would have to disband once the Conference had begun. The Committee was essentially a preparatory body for the Conference and, obviously, should provide assistance in the preparation of all its stages right up to the signing of an agreement. Therefore, the non-paper dealing with the stages of the Conference should also reflect the role of the Ad Hoc Committee. It was clear that the Committee's mandate should be changed in order to enable it to hold negotiations on the drafting of a future agreement.

11. Mr. HAGOSS (Ethiopia) regretted that some delegations had not participated in the informal consultations. It had been assumed that the consultations would not be limited to the non-aligned States and that they would be open-ended. He proposed that the substantive matters dealt with in the non-paper should not be discussed until the non-paper was circulated among the members of the Committee.

12. Mr. AL-ALFI (Yemen) drew attention to the obligation that, according to the text, the first stage of the Conference would be held in Colombo, while the venue of its second stage would be determined at the first stage.

13. Mr. HAGOSS (Ethiopia), speaking on a point of order, repeated his request to defer discussion of the non-paper until it was circulated.

14. Mr. AL-ALFI (Yemen) said that the point he was referring to existed in all variants of the text. General Assembly resolution 45/77 stated that the Assembly "reiterates and emhasizes its decision to convene the Conference on the Indian Ocean at Colombo". Therefore, in accordance with the existing mandate, the whole Conference, irrespective of the number of stages, would be held at Colombo. Secondly, the question of stages should be resolved well in advance and should not be left until the Conference was convened.

15. Mrs. MULAMULA (United Republic of Tanzania) reiterated the opinion of her delegation that the official meetings of the Ad Hoc Committee should be interrupted by informal consultations only when those consultations could further the work of the Committee. However, delegations whose representatives had been present at the informal consultations and which had not raised any objections, had just come forward with such objections and observations.

16. Mr. HAGOSS (Ethiopia) said that all delegations were permitted to make observations and objections. However, it was necessary to bear in mind the need to reach a consensus, which in fact was the purpose of the non-paper.

17. Mr. MAHMOOD (Pakistan) proposed that, after Friday's meetings, another meeting of the Committee should be held, since meetings had not been held on the previous Thursday because of a holiday.

18. Mr. HAGOSS (Ethiopia) proposed that the Committee should make every effort not to go beyond the time allotted for its meetings and to consider holding additional meetings only in extreme circumstances.

19. The CHAIRMAN informed the members of the Committee that, in any case, he had reached an agreement with the Secretariat regarding the holding of an additional meeting.

20. Mr. JAIN (India) drew attention to the fact that General Assembly resolution 45/77 provided for the holding of a second two-week session in 1991 and not for a session lasting 10 working days. While that, of course, was a matter of interpretation, he believed that the Committee had ample time to complete its work as scheduled.

The meeting rose at 1.15 p.m.